

FILED 07 DEC 20 09 58 USDC-ORH

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

ALLSTATE INSURANCE CO.,	)	
	)	Civil No. 07-125-CL
Plaintiff,	)	
	)	
v.	)	
	)	
GREG STATEN, et al.,	)	ORDER
	)	
Defendants.	)	

**PANNER, Judge.**

Magistrate Judge Mark D. Clarke has filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although neither party has filed objections to the Magistrate Judge's Report and Recommendation, this court reviews the legal rulings of the Magistrate Judge de novo. 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F. 2d 1309, 1313 (9th Cir. 1981).

I have reviewed the legal rulings de novo. I find no error. Accordingly, I ADOPT the Report and Recommendation of Magistrate Judge Clarke.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#56) is adopted. Plaintiff's motion for summary judgment (#32) is granted. Plaintiff does not have a duty to defend or indemnify defendant Staten.

IT IS SO ORDERED.

DATED this 20 day of December, 2007.

A handwritten signature in cursive script, reading "Owen M. Panner", written in black ink. The signature is positioned above a horizontal line.

OWEN M. PANNER  
United States District Judge